

REMARKS

Reconsideration and withdrawal of all grounds of rejection in the Office Action are respectfully requested. Claims 1-14 remain pending in this application.

Summary of the Rejections:

- (1) Claims 1-6, 8-9, 11-12 and 14 stand rejected under 35 U.S.C. §102(e) as being anticipated by Skog et al. (U.S. 6,330,445, hereafter "Skog").
- (2) Claims 7, 10, and 13 stand rejected under 35 U.S.C. §103(a) as allegedly being obvious over the combination of Skog in view of Raith (U.S. 6,385,461).

Office Action Position:

35 U.S.C. §102(e) in view of Skog:

According to the Office Action, Skog allegedly discloses a method and system for routing of an Unstructured Supplementary Service Data (USSD) message directly from an MSC/VLR to an external node.

It is alleged that the steps disclosed by Skog include transmitting from an originating mobile switching center to a home location register (HLR) a request for activation/deactivation of additional service information, updating the additional service by the home location register (HLR) to a visitor location register (VLR) of the originating MSC a response message in regard to the request message. The response message allegedly includes updated information of the subscriber.

Official Notice is taken regarding the items recited in claims 4-6, 11-12 and 14 that

Amendment

these features are well known and inherent in mobile telephone networks.

35 U.S.C. §103(a) in view of Skog and Raith:

It is alleged that Skog discloses all the instantly claimed features except for authorization and de-authorization notification. Thus, it is alleged that it would have been obvious to a person of ordinary skill in the art at the time the invention was made to use the indication technique disclosed by Raith in Skog to notify the user the status of connection of the device in order to improve the use of mobile systems.

Applicants' Traversal:

It is respectfully requested that none of the present claims are either anticipated by Skog or obvious over a combination of Skog and Raith.

35 U.S.C. §102(e):

With regard to Skog, it is respectfully submitted that this reference relates to a Global System for Mobile (GSM) communication, whereas the presently claimed invention relates to a Code Division Multiple Access (CDMA) communication system. Thus, for example, the presently claimed invention does not use the USSD.

The instantly claimed invention includes the transmitting of a feature request message, which includes updated information of a subscriber as defined by QUALCODE, to an Access Switching Processor (ASP) to activate/deactivate subscriber additional service information in few steps.

Although Skog uses the MSC/VLR to communicate a signal containing prescribed information to the HLR, this is a known and ordinary process in the art of mobile communication, and fails to anticipate the elements recited by Applicant's claims.

However, it is respectfully submitted that the present invention is distinguishable over Skog because in the present invention the home location register (HLR) transmits a response message to the originating MSC that in turn transmits the response message to the visitor location register (VLR) (please see Fig. 3).

Skog discloses a GSM system that directly routes from the MSC/VLR to the VLR, without involving the HLR when a service is requested (column 3, lines 8-11), to provide identification of where the mobile subscriber is currently located. For example, the data including "an address of an external node" is transmitted in Skog for the purpose of routing a USSD message to an external node, without the passage through the HLR, when entering a service code. Therefore, the presently claimed invention is distinguishable from Skog as the present invention uses CDMA, and does not have a USSD to route to an external node.

In addition, the MSC/VLR in Skog eliminates a step of communicating with the HLR, but it introduces one or more steps that are required to determine the location of the mobile subscriber without communication with HLR. Skog discloses four possible ways and says any one of them is a possibility:

- (1) Having a database of external node addresses located in the MSC/VLR;
- (2) Including the external node address in the USSD message;
- (3) Including information in the USSD message that is sent to another node which looks up the corresponding external node address; or
- (4) The MSC/VLR queries another node for the address of the external node.

Skog discloses the above at the last paragraph of column 4 to the first paragraph of

Again, Applicant respectfully submits that a USSD message is a part of GSM protocol, and the embodiment disclosed in the present invention does not contemplate USSD messages.

However, what is clear is that the method disclosed by Skog does not determine an external node address to verify subscription as is presently claimed. In fact, there is use of an additional table than the HLR, and/or the inclusion of such information in the USSD message, or it is obtained via polling other nodes adds to extra circuitry and duplication of information stored in tables. These methods do not read on the claimed invention.

Accordingly, it is respectfully submitted that Skog fails to anticipate any of the instant claims as this reference fails to disclose all of the claimed features of the instant claims.

Reconsideration and withdrawal of this ground of rejection are respectfully requested.

35 U.S.C. §103(a)

It is respectfully submitted that the combination of Skog and Raith fails to render any of the instant claims to be obvious in view of the teachings of the combination, as the verification process is different from what is presently claimed, and requires a table, a polling of other nodes, the address of the node in the USSD message, as all possible ways to perform verification. The combination clearly does not teach that the HLR sends a FEATREQ response message to the ASP of the MSC, which in turn notifies the VLR of the QUALCODE when necessary. It is respectfully submitted that the process allegedly taught by the combination of Skog and Raith is cumbersome and would not have made any of the instant claims obvious to a person of ordinary skill in the art.

Accordingly, it is respectfully submitted that none of the instant claims would have obvious to a person of ordinary skill in the art over the combination of Skog and Raith.

Finally, the Court of Appeals for the Federal Circuit has held that:

The mere fact that the prior art may be modified in the manner suggested by the Examiner does not make the modification obvious unless the prior art suggested the desirability of the modification.

In re Fritch, 973, F.2d 1260, 1266, 23 U.S.P.Q. 2d 1780, 1783-84 (Fed. Cir. 1992).

Here, the Office Action has not set forth a *prima facie* case of obviousness as the teachings of the Skog and Raith fail to make the necessary disclosure, suggestion, or provide motivation such that any of the instant claims would have been obvious to an artisan.

Conclusion:

Accordingly, Applicants respectfully submit that all grounds of rejection with regard to claims 1-14 have been overcome, and are allowable at least for the reasons indicated above. A Notice of Allowance is respectfully requested.

If any issues remain which may best be resolved through a telephone communication, the Examiner is requested to kindly contact the undersigned at the telephone number listed below. If there are any fees due and owing, please charge Deposit Account No. 502-470.



U.S. Serial 09/653,145
Amendment

Atty Docket 5000-1-125

Respectfully submitted,

CHA & REITER

By: 

Steve S. Cha
Registration No. 44,069

Date: July 10, 2003

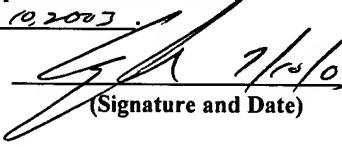
Steve S. Cha, Reg. No. 44,069
Cha & Reiter
411 Hackensack Ave
9th Floor
Hackensack, NJ 07601

Telephone: (201) 518-5518
Facsimile: (201) 518-5519

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Steve Cha, Reg. No. 44,069
(Name of Registered Representative)


(Signature and Date)